United States Senate

WASHINGTON, DC 20510 October 24, 2013 COMMERCE, SCIENCE, AND TRANSPORTATION FOREIGN RELATIONS SELECT COMMITTEE ON INTELLIGENCE

COMMITTEES

SMALL BUSINESS AND ENTREPRENEURSHIP

The Honorable Barack Obama President of the United States The White House 1600 Pennsylvania Avenue NW Washington, DC 20500

Dear Mr. President,

I'm writing to you today out of concern for my constituents.

In Florida and all around the country, many millions of Americans are suffering from unemployment or are stranded in jobs where they struggle to make ends meet.

Now, added to their list of financial concerns is the threat of a looming tax penalty tied to ObamaCare's individual mandate. Many will have this penalty unfairly hoisted on them due to their inability to sign up for coverage on the error-prone healthcare.gov or the inactive cuidadodesalud.gov.

This is why I am proposing a bill in the Senate to delay the individual mandate until the exchange websites have been certified to be fully functional. Once that certification takes place, Americans will have an additional six months before being subject to the taxes and penalties associated with the individual mandate.

In addition, my measure will exempt Americans from having to pay the mandate fines if they can prove they have tried to sign up but could not because of technical difficulties.

Given your own admission that the website's problems cannot be "sugar-coated", I believe my legislation rests on common-ground between us despite our differences over ObamaCare as a whole, and is therefore deserving of your support. In fact, six Democratic senators have already announced their support for delaying the mandate, giving such a measure enough votes to pass with bipartisan support.

Americans cannot afford to have the federal government picking their pockets as a punishment for something that was the government's fault to begin with. While I certainly remain dedicated to fully repealing and replacing ObamaCare, this current measure is about simple fairness and should be above controversy. As such, I am troubled by comments yesterday from your press secretary, Jay Carney, in which he battered my proposal as one that is not "filled with sincerity."

In a meeting last week, you told my fellow lawmakers and me that after the shutdown you would work with anyone to make fixes to ObamaCare. Now your administration is suggesting that the only people who can propose changes are those who support it, and that all others lack "sincerity." This is an unfair and irresponsible assertion.

I realize that the differences of opinion on the wisdom of this law are significant. But that should not impede our ability to work together to prevent the negative impacts this law will have on millions of people caught in the middle of this dispute.

The American people we both serve deserve to see their leaders come together and - by working through the representative framework of Congress - pass this bipartisan measure. I hope we can begin immediately by achieving your support for my legislation.

Thank you for your consideration.

Most Respectfully,

Marco Rubio U.S. Senator